

4
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Moynihan to Seek Curbs on Use Of Spies by Intelligence Agencies

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WASHINGTON, May 5 — Senator Daniel Patrick Moynihan plans to propose tomorrow a flat legal prohibition against the secret use of journalists, clergymen or academicians as spies or informers for United States intelligence agencies.

The New York Democrat's proposal will also seek to prohibit intelligence agents from posing as members of religious, journalistic or academic institutions. Mr. Moynihan said that he would offer the proposals as an amendment when the Senate Select Committee on Intelligence meets tomorrow to begin action on legislation affecting intelligence agencies.

Meanwhile, Representative Les Aspin, Democrat of Wisconsin, said today that the Carter Administration had committed "a major breach of security" by disclosing to the news media details of the aborted plan to rescue American hostages in Iran.

Mr. Aspin charged that the disclosures by unidentified sources might have threatened the lives of Iranians who were secretly willing to help the United States and that they might discourage other foreigners from secretly cooperating with American intelligence officers.

The Senate Intelligence Committee concluded last week that a proposed legislative code, or charter, outlining both authorized and prohibited procedures and practices for intelligence agencies could not be passed in Congress this year.

When the committee meets tomorrow it will, at first, consider a drastically shortened bill proposed by Senator Walter D. Huddleston, Democrat of Kentucky, who had been a chief advocate of the now moribund charter. The charter would have forbidden the Central Intelli-

gence Agency to use journalistic, religious and academic institutions as "cover" but would not have flatly prohibited the agency from using members of those institutions in covert intelligence roles.

Senator Moynihan said that "the issue of immunity of the press from intelligence activity, having been raised, must be settled." His proposed amendment would forbid any agency of the Government to hire, full- or part-time, any American citizen or alien with permanent residence status who "is a member of a religious, media or academic organization," if the relationship between the person and the Government "is to be concealed from public."

It also says that no employee of the Government shall "pose" as a member of such institutions "in order to conceal his true relationship with the department or agency employing him."

The White House has strongly opposed such flat protection for the "integrity" of the journalistic, religious and academic community. Administration sources have privately said that one reason for this position is that such a law would virtually restrict the intelligence agency's legally permitted "covers" to businessmen, and might hamper clandestine intelligence gathering.

Among the "disclosures" cited by Mr. Aspin were reports that American agents had been infiltrated into Iran by posing as European businessmen and hints that Iranian nationals were involved in the aborted rescue plan.

Such information, he said, was "clearly leaked to the press in an effort to save the Administration from looking foolish" by making the plan seem as plausible as possible to the public.